

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS

MAY 25 2021

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

Catherine Johnson  
Plaintiff(s),  
v.  
School District 158  
Defendant(s).

21 cv 50213  
Judge Iain D. Johnston  
Magistrate Judge Lisa A. Jensen

## **COMPLAINT OF EMPLOYMENT DISCRIMINATION**

1. This is an action for employment discrimination.
  2. The plaintiff is Catherine Johnson of the county of McHenry in the state of Illinois.
  3. The defendant is School District 158, whose street address is 650 Dr. John Burkey Drive, (city) Algonquin (county) McHenry (state) Illinois (ZIP) 60102 (Defendant's telephone number) (847) - 659 - 6158
  4. The plaintiff sought employment or was employed by the defendant at (street address) 650 Dr. John Burkey Drive (city) Algonquin (county) McHenry (state) Illinois (ZIP code) 60102

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5. The plaintiff [*check one box*]

- (a)  was denied employment by the defendant.
- (b)  was hired and is still employed by the defendant.
- (c)  was employed but is no longer employed by the defendant.

6. The defendant discriminated against the plaintiff on or about, or beginning on or about, (month) January, (day) 21, (year) 2021.

7.1 (*Choose paragraph 7.1 or 7.2, do not complete both.*)

- (a) The defendant is not a federal governmental agency, and the plaintiff [*check one box*]  *has*  *has not* filed a charge or charges against the defendant asserting the acts of discrimination indicated in this complaint with any of the following government agencies:
  - (i)  the United States Equal Employment Opportunity Commission, on or about (month) April (day) 13 (year) 2021.
  - (ii)  the Illinois Department of Human Rights, on or about (month) April (day) 13 (year) 2021.
- (b) If charges *were* filed with an agency indicated above, a copy of the charge is attached.  Yes,  No, but plaintiff will file a copy of the charge within 14 days.

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case.

7.2 The defendant is a federal governmental agency, and

- (a) the plaintiff previously filed a Complaint of Employment Discrimination with the

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defendant asserting the acts of discrimination indicated in this court complaint.

Yes (month) April (day) 13 (year) 2021

No, did not file Complaint of Employment Discrimination

(b) The plaintiff received a Final Agency Decision on (month) May (day) 4 (year) 2021.

(c) Attached is a copy of the

(i) Complaint of Employment Discrimination,

Yes  No, but a copy will be filed within 14 days.

(ii) Final Agency Decision

Yes  No, but a copy will be filed within 14 days.

8. *(Complete paragraph 8 only if defendant is not a federal governmental agency.)*

(a)  the United States Equal Employment Opportunity Commission has not issued a *Notice of Right to Sue*.

(b)  the United States Equal Employment Opportunity Commission has issued a *Notice of Right to Sue*, which was received by the plaintiff on (month) May (day) 4 (year) 2021 a copy of which *Notice* is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's [**check only those that apply**]:

(a)  Age (Age Discrimination Employment Act).

(b)  Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

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- (c)  Disability (Americans with Disabilities Act or Rehabilitation Act)
- (d)  National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (e)  Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (f)  Religion (Title VII of the Civil Rights Act of 1964)
- (g)  Sex (Title VII of the Civil Rights Act of 1964)

10. If the defendant is a state, county, municipal (city, town or village) or other local governmental agency, plaintiff further alleges discrimination on the basis of race, color, or national origin (42 U.S.C. § 1983).
11. Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); for 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; for the ADA by 42 U.S.C. §12117; for the Rehabilitation Act, 29 U.S.C. § 791; and for the ADEA, 29 U.S.C. § 626(c).
12. The defendant [*check only those that apply*]
  - (a)  failed to hire the plaintiff.
  - (b)  terminated the plaintiff's employment.
  - (c)  failed to promote the plaintiff.
  - (d)  failed to reasonably accommodate the plaintiff's religion.
  - (e)  failed to reasonably accommodate the plaintiff's disabilities.
  - (f)  failed to stop harassment;
  - (g)  retaliated against the plaintiff because the plaintiff did something to assert rights protected by the laws identified in paragraphs 9 and 10 above;
  - (h)  other (specify): \_\_\_\_\_

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13. The facts supporting the plaintiff's claim of discrimination are as follows:

I was discharged after filing with the EEOC. The reason I filed is because I was told to no longer report to work and that they would pay me for 1 year. On 1-28-21 I received an email from the school district stating I was fired for seeking medical treatment

14. [AGE DISCRIMINATION ONLY] Defendant knowingly, intentionally, and willfully discriminated against the plaintiff.

15. The plaintiff demands that the case be tried by a jury.  Yes  No

16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff [check only those that apply]

- (a)  Direct the defendant to hire the plaintiff.
- (b)  Direct the defendant to re-employ the plaintiff.
- (c)  Direct the defendant to promote the plaintiff.
- (d)  Direct the defendant to reasonably accommodate the plaintiff's religion.
- (e)  Direct the defendant to reasonably accommodate the plaintiff's disabilities.
- (f)  Direct the defendant to (specify): To pay off the defendant's tenure through age 63 at which time a pension will be granted.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

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- (g)  If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.
- (h)  Grant such other relief as the Court may find appropriate.

Catherine Johnson  
(Plaintiff's signature)

Catherine Johnson  
(Plaintiff's name)

151 Bridlewood Circle  
(Plaintiff's street address)

(City) Lake in the Hills (State) Illinois (ZIP) 60156

(Plaintiff's telephone number) (847) - 800 - 4194

Date: 5-20-21

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b>		Charge Presented To: <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC Agency(ies) Charge No(s): <b>440-2021-02127</b>																
<b>ILLINOIS DEPARTMENT OF HUMAN RIGHTS</b>																		
<i>State or local Agency, if any</i>																		
Name ( <i>Indicate Mr., Ms., Mrs.</i> ) <b>CATHERINE M JOHNSON</b>		Home Phone <b>(847) 800-4194</b>	Year of Birth															
Street Address <b>151 BRIDLEWOOD CIRCLE, LAKE IN THE HILLS, IL 60156</b>		City, State and ZIP Code																
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. ( <i>If more than two, list under PARTICULARS below.</i> )																		
Name <b>SCHOOL DISTRICT 158</b>		No. Employees, Members <b>201 - 500</b>	Phone No. <b>(847) 659-6158</b>															
Street Address <b>650 DR JOHN BURKEY DR, ALGONQUIN, IL 60102</b>		City, State and ZIP Code																
Name		No. Employees, Members	Phone No.															
Street Address		City, State and ZIP Code																
<b>DISCRIMINATION BASED ON</b> ( <i>Check appropriate box(es).</i> ) <table style="margin-left: 20px; border: none;"> <tr> <td><input type="checkbox"/> RACE</td> <td><input type="checkbox"/> COLOR</td> <td><input type="checkbox"/> SEX</td> <td><input type="checkbox"/> RELIGION</td> <td><input type="checkbox"/> NATIONAL ORIGIN</td> </tr> <tr> <td><input checked="" type="checkbox"/> RETALIATION</td> <td><input type="checkbox"/> AGE</td> <td><input checked="" type="checkbox"/> DISABILITY</td> <td><input type="checkbox"/> GENETIC INFORMATION</td> <td></td> </tr> <tr> <td colspan="5"><input type="checkbox"/> OTHER (<i>Specify</i>)</td> </tr> </table> <div style="display: flex; justify-content: space-between; align-items: center;"> <span style="margin-right: 20px;">DATE(S) DISCRIMINATION TOOK PLACE</span> <div style="display: flex; justify-content: space-between;"> <span>Earliest</span> <span>Latest</span> </div> <div style="display: flex; justify-content: space-between;"> <span><b>01-28-2021</b></span> <span><b>01-28-2021</b></span> </div> <div style="margin-left: 20px;"><input type="checkbox"/> CONTINUING ACTION</div> </div>				<input type="checkbox"/> RACE	<input type="checkbox"/> COLOR	<input type="checkbox"/> SEX	<input type="checkbox"/> RELIGION	<input type="checkbox"/> NATIONAL ORIGIN	<input checked="" type="checkbox"/> RETALIATION	<input type="checkbox"/> AGE	<input checked="" type="checkbox"/> DISABILITY	<input type="checkbox"/> GENETIC INFORMATION		<input type="checkbox"/> OTHER ( <i>Specify</i> )				
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<input checked="" type="checkbox"/> RETALIATION	<input type="checkbox"/> AGE	<input checked="" type="checkbox"/> DISABILITY	<input type="checkbox"/> GENETIC INFORMATION															
<input type="checkbox"/> OTHER ( <i>Specify</i> )																		
THE PARTICULARS ARE ( <i>If additional paper is needed, attach extra sheet(s).</i> ) <b>I began employment with Respondent in or around 2004. My most recent position was Music Teacher. During my employment, I filed EEOC Charge #440-2017-04319. Subsequently, I was discharged.</b>																		
<b>I believe I have been discriminated against in retaliation for engaging in protected activity, in violation of Title VII of the Civil Rights Act of 1964, as amended.</b>																		
<b>I also believe I have been discriminated against because of my disability, in violation of the Americans with Disabilities Act of 1990, as amended.</b>																		
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct.		NOTARY - <i>When necessary for State and Local Agency Requirements</i> I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT  <b>Digitally signed by Catherine Johnson on 04-13-2021 10:16 AM EDT</b>																
<b>Digitally signed by Catherine Johnson on 04-13-2021 10:16 AM EDT</b>		SUBSCRIBED AND SWEORN TO BEFORE ME THIS DATE <i>(month, day, year)</i>																